

MINUTES

Regular Town Board Meeting Tuesday, September 11, 2012

Call to Order: Chairman Nelson called mtg to order at 5:33pm

Roll: Chairman Nelson – Board Members: Nelson, Patterson, Ross and Whalen

Staff: Town Administrator Clark, Town Foreman Sowl

Public: Mike Starck, David Thomas

I. Public Comment - None

II. Vouchers – Board Member Patterson moved to accept vouchers in the amount of \$36,421.49

Seconded by Member Nelson

5 ayes, no nays

Motion carried

III. Alternative Claims – 1) Board Member Patterson moved to accept General Alternative Claims in the amount of \$398,825.78

Seconded by Member Ross

5 ayes, no nays

Motion carried

2) Board Member Patterson moved to accept Library Alternative Claims in the amount of \$1,508.84

Seconded by Member Nelson

5 ayes, no nays

Motion carried

IV. Treasurer's Report – Member Patterson moved to accept Treasurer's report with cash balance of \$ 1,170,174.06 and check balance of \$531,717.76

Seconded by Member Ross

5 ayes, no nays

Motion carried

V. Minutes

A. Special Town Board Meeting 08/28/2012 – Member Patterson moved to approve

Seconded by Member Ross

3 ayes (JP, HR, GN) 2 abstentions (LW, NN)

Motion carried

B. Regular Town Board Meeting 08/28/2012 – Member Patterson moved to approve

Seconded by Member Nick Nelson

5 ayes, no nays

Motion carried

C. Special Town Board Meeting 09/05/2012 – Member Nick Nelson moved to approve

Seconded by Member Patterson

4 ayes, 1 abstention (LW)

Motion carried

VI. Public Works

A. Roads

1. Foreman's Report – placed on file by unanimous consent

Discussion – Chairman Nelson raised several questions related to the cost of the Comfort Station in the BBTP (Chairman Nelson stated that the variation in costs and estimates seems to be continually changing) – Town Foreman Sowl responded that the only changes were to the size of the holding tanks and changes based on facility occupancy – Foreman Sowl further stated that, because of the square footage of the facility, no stamped plans were required. Member Ross questioned the apparent change in the date of completion (Foreman Sowl had mentioned that a completion date of June 1, 2013 was probably more likely than the published

completion date of May 1, 2013) – Foreman Sowl responded that, regardless of the potential completion date (6/1/2013), the published date (5/1/2013) would remain in effect. Further discussion ensued regarding the ban on pit toilet dumping at the Sanitary District and its compelling effect on the change from pit to flush toilets.

Informational Only 2. Griggs Approach Project and possible funding – Town Administrator Clark discusses published comments and recommendations related to the potential of moving WI DOT funds from Rice Street Extension to Griggs Approach project – Griggs Approach would stand as a ‘shovel ready’ project and may well be in line (TA had had preliminary discussion with Brent Pickard of the WI DOT about potentially moving funds from Rice St to Griggs Approach) for WI DOT funding should the Board decide not to go forward with Rice St

Informational Only 3. Rice Street Extension funding – Town Administrator Clark advised of notice by WI DOT regarding presidential executive order relating to ‘earmark’ projects – must be substantially undertaken by 12/31/2012 or risk losing funding. TA further advised of discussion with Chairman Nelson and Foreman Sowl regarding the thought of not moving forward with Rice St, but the interest in having the ‘earmark’ funds pay for the engineering and wetland delineation already performed for that project – TA advised that he had talked with Brent Pickard of WI DOT regarding that issue and was informed that the town would not have to repay the \$70,000 expended on engineering and wetlands delineation (BP would be writing a letter addressing that issue) Chairman Nelson offered a brief overview of the history of Rice St extension and activities to date – Chairman Nelson recommended that the project be undertaken by the town in a ‘phased, self-built’ format.

4. Request for Special Town Meeting – request authorization for Town Board member as employee – Brief discussion – general favorability to proposition --- Member Ross moved to request a Special Town Meeting, October 2, 2012 at 5pm
Seconded by Member Patterson
4 ayes, 1 abstention (NN)
Motion carried – Request and Notice to be Posted

B. Parks & Recreation

1. Big Bay Town Park (BBTP) – Member Ross questions to Foreman Sowl regarding scope/phases of project – to which side of road does he refer – Foreman Sowl responds that, for all intents and purposes, the project is inclusive of both sides of road, but it is actually a 2-phase project with lakeside as first phase and island side a second phase which may be delayed based on Army Corps of Engineers requirement of a Programmatic Agreement based on the assertion of a Native American claim of a ‘Traditional Cultural Property’. Town Administrator Clark to correspond with Army Corps to get clarification and details on ‘if’ there would be the necessity of a Programmatic Agreement and ‘what’ that Agreement would entail: detail, scope, timeframe, as well as, authorization from the Corps to move forward with Island side of the road project.

a. **Possible Water System at BBTP to be put out on bids** – Member Ross moved to put well out for bids
start date to be determined by Foreman Sowl
Seconded by Member Whalen
5 ayes, no nays
Motion carried

b. Acceptance of WI DNR Grants BBTP Improvement Projects:

- i. #S-ADLP3-13-1159 Phase II in the amount of \$231,064.00
- ii. #S-ADLP3-13-1157 Phase III in the amount of \$111,372.50

Member Nelson moved to accept grants – total of \$342,436.50
Seconded by Member Patterson
4 ayes, 1 nay (LW)
Motion carried – grants to be accepted

b. **Temporary hiring of Parks Assistants** – Member Ross moved to accept hiring of 2 (two) temporary parks’ assistants/employees - \$12.00/hour – not to exceed 599 hours to begin as soon as possible.
Seconded by Member Whalen
4 ayes, 1 abstention (NN)
Motion carried

- c. **Possible BBTP plan changes: toilets and comfort station** – Brief discussion relating to potential changes and effect on overall project cost – Foreman Sowl advises that changes may save approximately \$7000.00 – Member Patterson moved to approve potential changes to toilets [Clerk's note: the change is from pit toilets to flush toilets.]

Seconded by Member Whalen

5 ayes, no nays

Motion carried

2. Special Event Permits: Jennifer Byers wedding on September 22, 2012

a. Joni's Beach Reception

b. Big Bay Town Park Lagoon Ceremony

No discussion – Member Patterson moved to issue permits.

Seconded by Member Nick Nelson

5 ayes, no nays

Motion carried

3. Request for waiver of fees for Rec Center use 9/29/12 for Codger Game

No discussion – Member Nick Nelson moved fee waiver

Seconded by Member Patterson

5 ayes, no nays

Motion carried – fees waived

C. MRF

1. MRF Supervisor's Report – No report submitted

D. Harbors

Information Only . Harbor Improvement Project Update by Town Administrator – Administrator Clark advised that, subsequent to approval of funding/grant source matrix development – Task #1 – by SmithGroupJJR, Clark met with Corps of Engineers representative (Berkner) and WI DNR representative (Core) regarding any Native American Issues – there may be some potential, but the frequency and repeated dredging, etc., may well have obviated the motivation and/or compulsion for Native Americans to seek a 'Traditional Cultural Property' designation or, if that occurs, for an overly-extensive Programmatic Agreement. At the suggestion of Berkner and Core, Administrator Clark communicated with Steve LaValley (WI DNR – Harbors, Docks and Waterways) regarding the roster of permits that may be required – the suggestion was to undertake permit processes in the event that grants or funding requires those permits to be in place. LaValley and Core are coming to the Island to meet with Clark regarding permit requirements and processes. Jason Stangland and Bill Brose (SmithGroupJJR) will be meeting with Clark on Sept 20 – Clark to call a mtg of the Harbor Committee so that all information can be transmitted to the HC from JJR

VII. Police

1. Police Chief's Report – placed on file by unanimous consent

VIII. Emergency Services

A. Ambulance Service

1. Ambulance Director's Report – placed on file by unanimous consent

IX. Committees

A. Zoning

1. Zoning Administrator's Report – placed on file by unanimous consent

B. CAPP – Town Administrator and Town Clerk established the availability of a quorum for CAPP – Administrator Clark to compose and dispatch a letter by which the CAPP is encouraged to meet and recommence Comp Plan review and revision.

C. Local Foods Committee – Town Board Member/Committee Member Nick Nelson provided a general and optimistic report of Slow Foods/Community Gardens event – indicated that Committee would be meeting again soon.

X. Town Hall Administration

A. Monthly Budget Report – Chairman Nelson requested that only 1 (one) copy of complete budget report need be produced – rather – circulate copies of first 4 (four) pages to Board members. Member Ross moved to accept report

Seconded by Member Patterson

5 ayes, no nays
Motion carried – budget report on file

B. **Town Administrator's Report** – on file

C. **Bad River Elder Representative** – postponed until next meeting

D. **Approval of new agenda format** – Member Nick Nelson moved to approve new agenda format
Seconded by Member Ross
5 ayes, no nays
Motion carried – new agenda format adopted

E. **2012 Wage Resolution Attachment "B"** – Member Ross moved to adopt & sign 2012 Wage Resolution "B"
Seconded by Member Patterson
4 ayes, 1 abstention (NN)
Motion carried

F. **2012 Wage Resolution Attachment "C"** – Member Ross moved to adopt & sign Wage Resolution "C"
Seconded by Member Patterson
4 ayes, 1 abstention (NN)
Motion carried

G. **Vehicle/Transportation Agreement for Town Administrator** – Brief, non-specific discussion
Member Ross moves to approve and sign agreement
Seconded by Member Patterson
4 ayes, 1 nay – (LW – did not attend previous mtgs)
Motion carried – agreement signed and counter-signed

H. **DRAFT Management Discussion & Analysis Report for year ending 12/31/2011** – agenda item postponed

XI. **New Agenda Items for Future Meetings** - none

XII. **Lawsuits & Legal Issues** - none

XIII. **Liquor & Operators' Licenses** – none

XIV. **Adjourn** – Member Patterson moved to adjourn
Seconded by Member Ross
5 ayes, no nays
Motion carried – meeting adjourned at 7:12 pm

Approved as submitted on 10/9/12
Patty Hobin, Town Clerk